

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

SILAS CALHOUN and EMILY CALHOUN,
Individually and as Parents and Next Friends
of ESTELLA CALHOUN,

Plaintiff,

v.

UNITED STATES OF AMERICA and ERIC
C. DAUB, M.D. and MARIANNE SUTTON,
M.D.,

Defendants.

Civil Action No. 04-10480-RGS

**ASSENTED TO MOTION OF THE DEFENDANT FOR ENLARGEMENT OF TIME
TO FILE A RESPONSE TO COMPLAINT**

Defendant, United States of America ("United States"), by and through its attorney, hereby moves this Court for an enlargement of time to file a response to the Plaintiff's Complaint which was filed on or about March 9, 2004. Defendant requests that this Court grant an enlargement of time of 94 days up to, and including, August 16, 2004, to file a Response to the Complaint. Good cause exists for this Motion. Counsel for the Plaintiff and the United States have conferred and would like to attempt to resolve this matter without the need for a response to the Complaint or any further litigation. The additional time to respond will allow the Parties to explore the possibility of settlement prior to a response being filed.

This Motion is made in good faith and is not made to delay the action, or for any other improper purpose.

Respectfully submitted,

UNITED STATES OF AMERICA

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Anton P. Giedt
Anton P. Giedt
Assistant U.S. Attorney
1 Courthouse Way
Boston, MA 02210
617-748-3309 (Voice)
617-748-3971 (Fax)
anton.giedt@usdoj.gov

LOCAL RULE 7.1 CERTIFICATE

I, Anton P. Giedt, Assistant U.S. Attorney, hereby certify that I have conferred with the Plaintiffs' counsel of record and that Plaintiffs' counsel has assented to this motion.

/s/ Anton P. Giedt
Anton P. Giedt
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

Suffolk, ss.

Boston, Massachusetts
DATE: May 14, 2004

I, Anton P. Giedt, Assistant U.S. Attorney, do hereby certify that I have this day served a copy of the foregoing upon the Plaintiffs' counsel of record by First Class Mail.

/s/ Anton P. Giedt
Anton P. Giedt
Assistant U.S. Attorney

PLAINTIFF COUNSEL:

Michael S. Appel
Anthony V. Argudelo
Sugarman, Rogers, Barshak & Cohen, P.C.
101 Merrimac Street
Boston, MA 02110
617-227-3030 (Voice)
617-523-4001 (Fax)
appel@srbc.com

AGENCY COUNSEL:

Eric Fried
Claims Attorney
U.S. S Department of the Air Force
Air Force Legal Services Agency
1501 Wilson Boulevard, Room 835
Arlington, VA 22209-2403
703-696-9020 (Voice)